REMARKS

Claims 1-6, 8-15, 17-24, 26-28, 30-35, 27-42, and 44-48 remain pending in the application. Reconsideration of the present case is earnestly requested in light of the following remarks.

Section 103(a) Rejection:

The Office Action rejected claims 1-6, 8-15, 17-24, 26-28, 30-35, 37-42 and 44-48 under 35 U.S.C. § 103(a) as being unpatentable over Lakritz (U.S. Patent 6,623,529) in view of Hamann (U.S. Patent 6,092,036).

Regarding claim 1, Lakritz in view of Hamann fails to teach or suggest creating a first file including a translation of said one or more localizable strings, wherein said creating said first file comprises receiving input from a user specifying a translation of at least one of said one or more localizable strings within said at least one token. The Examiner admits that Lakritz fails to disclose "receiving input from a user specifying a translation of at least one of said one or more localizable strings" and relies on Hamann (column 6, lines 48-61) for this teaching. More specifically, the Examiner asserts: "However, Hamann teaches the user is able to input a string in a source language and a string of text translated into the target language". Applicant notes that Lakritz's system already allows the user to modify or add translation terms to the User-Defined TermDB. As argued in the previous responses, the ability to add terms to a database of translations does not teach or suggest the limitation recited above. Hamann is solely directed towards translating <u>menu text of applications</u>, which is not at all related to separating and translating localizable data of markup language files. Thus, Lakritz, combined with Hamann does not suggest that creating a first file including a translation of the one or more localizable strings comprises receiving input from a user specifying a translation of at least one of the one or more localizable strings within said at least one token. At most, the modifying Lakritz's teachings according to Hamann's would result in the system of Lakritz with the ability to translate menu text in the application

according to Hamann's teachings.   Such a combination clearly would not result in Applicants' claimed invention.   Moreover, although Hamann teaches user supplied translations for menu text, there is no suggestion, other than applicant's disclosure, to employ this scheme in the teachings of Lakritz.   The system of Lakritz already allows the user to modify or add translation terms to the User-Defined TermDB.   Thus, it would not make sense to modify Lakritz as proposed by the Examiner.

Regarding claim 1, the Examiner has failed to provide a proper motivation to combine Lakritz and Hamann.   Instead, the Examiner's provided motivation "to increase the efficiency of the system by allowing a user to modify and/or a translation to a target text" only identifies a presumed benefit of Hamann without addressing the specific combination of the two references.   As the Examiner is certainly aware, as held by the U.S. Court of Appeals for the Federal Circuit in *Ecolochem Inc. v. Southern California Edison Co.*, an obviousness claim that lacks evidence of a suggestion or motivation for one of skill in the art to combine prior art references to produce the claimed invention is defective as hindsight analysis.   In addition, the showing of a suggestion, teaching, or motivation to combine prior teachings "**must be clear and particular**…Broad conclusory statements regarding the teaching of multiple references, standing alone, are not 'evidence'." *In re Dembiczak*, 175 F.3d 994, 50 USPQ2d 1614 (Fed. Cir. 1999).   **The art must fairly teach or suggest to one to make the specific combination as claimed.**   That one achieves an improved result by making such a combination is no more than **hindsight without an initial suggestion to make the combination** (emphasis added).   Applicants assert that the Examiner's provided motivation only identifies an element of the method disclosed by Hamann—the simple fact that the Hamann allows the user to define terms in a term database in no way suggests the proposed combination.   Additionally, the motivation, *improve efficiency*, is too general because it could cover almost any alteration contemplated of Lakritz and does not address why this <u>specific</u> proposed modification would have been obvious.   There is nothing in the art of record that would suggest receiving user input specifying a translation of one of the one or more localizable strings of a token during creation of a first file to be merged with a second file with non-localizable data.   Finally, although

Hamann teaches user supplied translations of applications content in a user defined database, there is no suggestion, other than applicant's disclosure, to employ this scheme in the teachings of Lakritz. Thus, the rejection is improper.

> In response to these arguments, the Examiner asserts:

> In this case, Hamann teaches a multilingual data processing system, that includes a translation table builder, responsive to a user input, for building each text translation table. The translation table building includes a text editor for allowing the user to translated language text items into target language text items. By allowing the user to create supply their own translations of the application text, the users are able to improve the localization process of multilingual data by adapting the translations of the application data to better fir the needs of the user. [*Sic*]

Once again, the Examiner has failed to provide a proper motivation to perform the specific proposed modification of Lakritz. Instead, the Examiner has only identified the specific feature of Hamann to which the Examiner wishes to modify Lakritz. In other words, the fact that Hamann has such a feature does not indicate any reason to modify Lakritz to include that feature. Additionally, the portions cited by the Examiner do not indicate any reason *whatsoever* as to why user supplied translations should be applied to a localization system which identifies tokens and localization strings of a markup language document.

As argued in the previous response, Hamann is solely directed towards translating menu text of applications (which are not related to separating and translating localizable data of markup language files). Applicants assert that, at best, the proposed motivation would yield an application, such as a web browser, which can display text (e.g., the menu text or help file text) of the application in a target language and display web pages according to the template system of Lakritz. There is no indication, provided from the cited references or otherwise, that indicates any reason for making the proposed combination. Applicants' note that, in the current Office Action, the Examiner mischaracterizes these arguments as relating to nonanalogous art; however, Applicant is not asserting that the art is nonanalogous, but instead a lack of motivation and that the proposed combination would not yield the claimed invention.

Additionally, Lakritz already provides the ability to include user provided translations (using User-Defined TermDB's) and does not require any modification to provide such a feature. In other words, there is no reason why the methods of Hamann should be incorporated into Lakritz since Lakritz already allows for user defined translations (using user defined TermDB's) in a manner different than the claimed invention. Thus, for at least the reasons above, the proposed combination is improper and would not suggest the invention recited in claim 1. For at least the reasons above, the rejection of claim 1 is not supported by the cited art and removal thereof is respectfully requested. Similar remarks apply to claims 10, 19, 28, 35 and 42 as well.

Regarding claim 2, Lakritz fails to disclose prompting a user for confirmation of said identifying said one or more localizable strings. Regarding this feature, the Examiner cites sections of Lakritz where the user may define or modify a User-Defined TermDB. Applicants assert that creating or modifying a user dictionary is not pertinent to <u>prompting a user for confirmation of said identifying said one or more localizable strings</u>. Those skilled in the art of understand that defining a dictionary is clearly not <u>prompting a user for confirmation of identified localizable strings of an identified token in a markup language document</u>.

In response to these arguments, the Examiner asserts:

The examiner disagrees and argues that once the user begins editing the translation database of Lakritz, the system prompts the user to supply a translation for each of the selected target languages to be included in the translation database (col. 28, lines 24-34 and 63-67, and col. 29, lines 1-30).

Applicant's assert that this fails to address the arguments from above (or even the particular limitation of claim 2). The cited portions of Lakritz relate to how a user may modify or add translations of terms in a dictionary. There is no indication *whatsoever* that these terms have anything to do with identified tokens within a markup language document, identified localization strings within the identified token within the markup language document, or prompting the user for confirmation of the identification of the

localizable strings. Modifying the TermDB allows the user to add or modify translations and has nothing to do with identifying or confirming localizable strings of a markup language document. In other words, the fact that the terms in the database may be used for translation of such strings does not have anything to do with the identification of the strings themselves. Thus, in modifying or adding terms of the termDB, the user is selecting his own targets for translation; these targets are not the identified localizable strings. Thus, the Examiner has failed to properly characterize or address the limitations or arguments related to claim 2. Thus, for at least the reasons above, Applicants assert that Lakritz fails to disclose this feature of claim 2. Therefore, the rejection of claim 22 is not supported by the cited art and removal thereof is respectfully requested. Similar remarks apply to claims 28, 35 and 42 as well.

Applicants also assert that numerous ones of the dependent claims recite further distinctions over the cited art. However, since the rejection has been shown to be unsupported for the independent claims, a further discussion of the dependent claims is not necessary at this time.

CONCLUSION

Applicants submit the application is in condition for allowance, and prompt notice to that effect is respectfully requested.

If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5681-90300/RCK.

Respectfully submitted,

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